



2010 LEGISLATIVE SCORECARD



Building a State of Equality

The two-year legislative session has been an incredibly fruitful one for Equality California. A total of 25 Equality California sponsored bills were passed, with a record 14 pieces of Equality California legislation adopted in 2010 alone. These bills expand fundamental protections and freedoms for lesbian, gay, bisexual and transgender Californians.

Our work would not have been as successful without the support from our members who helped elect fair-minded legislators; who called, wrote letters and sent emails; who lobbied their legislators in Sacramento, their districts, and signed petitions to their elected officials; and, of course, who donated the money that fuels our legislative work in Sacramento and across California.

This year four Equality California bills were signed into law, including legislation that enables at-risk youth to access mental health services without parental consent; a bill repealing a state code mandating the search for a “gay cure;” legislation eliminating legal barriers for same-sex couples wishing to dissolve their domestic partnership and civil marriage simultaneously; and a bill that ensures that same-sex couples in California have equal access to unemployment benefits.

Unfortunately, the governor vetoed three bills: the Lesbian, Gay, Bisexual and Transgender Prisoner Safety Act, designed to safeguard LGBT inmates from violence; the Hate Crimes Protection Act, which would have prohibited contracts requiring mandatory arbitration of hate crimes; and the Civil Marriage Religious Freedom Act, which would have affirmed that clergy are not required to solemnize any marriage that goes against their faith.

Federal Resolutions

In addition to the Equality California bills that passed the Legislature, seven resolutions passed that have become California’s official policy. These resolutions include support for repealing the Defense of Marriage Act; overturning Don’t Ask Don’t Tell; passing the Uniting American Families Act; lifting the Food and Drug Administration ban on accepting blood donations from gay and bisexual men; urging the 2020 Census to collect data on sexual orientation and gender identity; requesting the IRS to end discriminatory treatment of same-sex couples for federal tax purposes; and a resolution in opposition to an Uganda bill calling on the death penalty for those who engage in same-sex intimacy and are also HIV-positive.

Increasing Support in the Legislature

This year we obtained an unprecedented number of votes for LGBT rights on the floor of the legislature and enjoyed more bipartisan support than in any other year in California history.

Over the past twelve years, more than seventy Equality California-sponsored measures have passed the California State Legislature, including bills creating the country’s first domestic partner registry, protecting LGBT youth and seniors, requiring equality in insurance and ensuring the strongest protections for transgender individuals in the nation. Although we’ve accomplished a great deal as a community, there is still much work ahead in order to ensure that LGBT Californians are truly equal under the law and accepted by society.

Signed Legislation

Mental Health Services for At-Risk Youth

Bill Number: SB 543

This bill expands access to essential mental health services for youth ages 12-17 by allowing them to obtain counseling without parental notification or consent. LGBT youth across California who are fearful that their families could become abusive or kick them out of their homes if they come out or refuse to give their consent to their obtaining mental health services, will now be able to get the help they need, before it's too late. This bill addresses the hostile environment too many of California's young people find themselves dealing with everyday, the kind of environment that leads to bullying, hate crimes and suicide.

Author: Senator Mark Leno (D-San Francisco)

Co-Sponsored With: National Association of Social Workers – California Chapter, Mental Health America of Northern California, GSA Network

Status: Passed by the legislature.
Signed by the governor.

Unemployment Benefits Equality

Bill Number: AB 2055

AB 2055 ensures that same-sex couples in California have equal access to unemployment benefits. This bill extends the same rights to couples who plan on entering into a domestic partnership as are currently extended to couples engaged to be married. The bill is especially beneficial for same-sex couples because they are currently prohibited from legally marrying in California and therefore unable to receive these benefits.

Author: Assemblymember Hector De La Torre (D-South Gate)

Status: Passed by the legislature.
Signed by the governor.

Repeal of Discriminatory Code

Bill Number: AB 2199

AB 2199 repeals a section of the California code that instructs the State to conduct research into the “causes and cures of homosexuality,” with the implication that lesbian, gay, and bisexual Californians are sexual deviants, potential sex offenders and a threat to children. The code, which was originally authored in the 1950s, implied that lesbian, gay, and bisexual individuals can and should be cured, in direct contradiction with an enormous body of research that demonstrates otherwise.

Author: Assemblymember Bonnie Lowenthal (D-Long Beach)

Status: Passed by the legislature.
Signed by the governor.

Separation Equity Act

Bill Number: AB 2700

This bill amends the state's family code, allowing couples who first registered as domestic partners and then became legally married to dissolve both contracts through a single, uniform procedure. Prior to this bill's passage, the system forced couples to go through a separate process for each, which resulted in more time for the two cases to be resolved, cost the parties extra money and unnecessarily burdened the judicial system. The bill also clarified that same-sex couples who married outside of California may dissolve their out-of-state marriages in California.

Author: Assemblymember Fiona Ma (D-San Francisco)

Co-Sponsored With: Conference of California Bar Associations

Status: Passed by the legislature.
Signed by the governor.

Vetoed Legislation

LGBT Prisoner Safety Act

Bill Number: AB 633

This bill was designed to prevent violence against lesbian, gay, bisexual and transgender people in the state prison system and would have required the state to adopt National Prisoner Rape Elimination Commission Standards, designed to safeguard LGBT inmates. The bill would have also required the California Department of Corrections and Rehabilitation to end its policy of placing LGBT prisoners in solitary confinement as the first means to supposedly protect them from rape and other violence.

Author: Assemblymember Tom Ammiano (D-San Francisco)

Status: Passed by the legislature.
Vetoed by the governor.

Civil Marriage Religious Freedom Act

Bill Number: SB 906

This bill would have affirmed that clergy are not required to solemnize any marriage that goes against their faith, taking an argument away from opponents of marriage equality. Additionally, this bill clarified that religious institutions would not lose their tax- exempt status in California if clergy refuse to solemnize a civil marriage that is contrary to their religious faith.

Author: Senator Mark Leno (D-San Francisco)

Co-Sponsored With: California Council of Churches IMPACT, California Faith for Equality

Status: Passed by the legislature.
Vetoed by the governor.

Hate Crimes Protection Act

Bill Number: AB 1680

Current state law allows employers and others to require Californians to waive their right to seek justice in a court of law if they were the victim of a hate crime and instead force them into arbitration. AB 1680 would have ended this practice by amending state law to exempt hate crimes from these mandatory waivers, often included in employment and residential contracts. The bill would have also prohibited legal contracts from requiring an individual to waive his or her legal rights and procedures, guaranteed under the Ralph Civil Rights Act and Bane Civil Rights Act, which provide protections for victims of hate crimes.

Author: Assemblymember Lori Saldaña (D-San Diego)

Co-Sponsored With: Asian Americans for Civil Rights & Equality

Status: Passed by the legislature.
Vetoed by the governor.

Resolutions

Support of the Military Readiness Enhancement Act

Bill Number: SJR 9

This resolution puts California on record in support of the federal Military Readiness Enhancement Act, recognizing the vital contributions of gay and lesbian members of our armed forces and reversing the "Don't Ask, Don't Tell" policy.

Author: Senator Christine Kehoe (D-San Diego)

Status: Adopted by California Legislature

2020 Census Inclusion Resolution

Bill Number: SJR 28

This resolution urges the federal government to include questions regarding sexual orientation and gender identity in the 2020 Census questionnaire.

Author: Senator Christine Kehoe (D-San Diego)

Status: Adopted by California Legislature

Uganda Anti-homosexuality

Bill Number: SR 51

This resolution puts California on record in strong opposition to the Anti-Homosexuality Bill in Uganda. This resolution also discourages faith-based organizations from providing funding and support for policies in foreign countries that discriminate on the basis of sexual orientation or gender identity. This resolution would encourage the United States Department of State to increase efforts to decriminalize homosexuality worldwide.

Author: Senator Leno (D-San Francisco)

Status: Adopted by California Senate

U.S. Blood Donor Nondiscrimination

Bill Number: AJR 13

This resolution puts California on record in support of urging the U.S. Food and Drug Administration to repeal its outdated and discriminatory rule prohibiting healthy gay and bisexual men from donating blood.

Author: Assemblymember Tom Ammiano (D – San Francisco)

Status: Adopted by California Legislature

Support of the Uniting American Families Act

Bill Number: AJR 15

This resolution puts California on record in support of the federal Uniting American Families Act, which would remove legal barriers to immigration by permanent same-sex partners.

Author: Assemblymember Kevin De León (D-Los Angeles)

Co-Sponsored With: Asian Americans for Civil Rights and Equality

Status: Adopted by California Legislature

Support of Repealing the Defense of Marriage Act

Bill Number: AJR 19

This resolution puts California on record in support of repealing the federal “Defense of Marriage Act,” which explicitly forbids the federal government or any federal agency from recognizing state-sanctioned marriages between same-sex couples.

Authors: Assemblymembers Julia Brownley (D – Santa Monica) and Mike Feuer (D – Los Angeles)

Co-Sponsored With: California Faculty Association

Status: Adopted by California Legislature

Domestic Partner Tax Equity Resolution

Bill Number: AJR 29

This resolution requests the U.S. Internal Revenue Service to treat legally married same-sex couples and registered domestic partners, as married for federal income tax purposes.

Author: Assemblymember Mike Feuer (D-Los Angeles)

Status: Adopted by California Legislature

Scorecard Methodology and Symbol Key

The analysis of votes is based on the final floor votes cast on the measures. Yes votes are represented by “1” and no votes are represented by “0.” Legislators present, but not voting, are denoted by “-”, which is equivalent to a “no” vote. Passage of legislation requires a “yes” vote by majority of all legislators. Therefore, not voting has the same effect as a “no” vote. Legislators who were officially absent for a vote did not have their vote included in the rating and are denoted on the scorecard with an “A.” A gray box denotes that a member was not in office. The governor was rated on legislation that reached his desk. Exceptions were made where a vote was missed if the legislator was a co-author or voted to support the bill at a previous floor vote or in committee. Members of the LGBT Legislative Caucus are indicated with a “*.”

GOVERNOR SCORECARD

	District	Party	SB 543	SB 906	AB 633	AB 1680	AB 2055	AB 2199	AB 2700	Total	Score
Governor Arnold Schwarzenegger	State	R	1	0	0	0	1	1	1	4	57%



About Equality California

Founded in 1998, Equality California has strategically moved California from a state with extremely limited legal protections for lesbian, gay, bisexual and transgender (LGBT) individuals to a state with some of the most comprehensive civil rights protections in the nation.

Improving the Lives of LGBT Californians

Equality California works to achieve equality and secure legal protections for LGBT people. To improve the lives of LGBT Californians, Equality California sponsors legislation and coordinates efforts to ensure its passage, lobbies legislators and other policy makers, builds coalitions, develops community strength and empowers individuals and other organizations to engage in the political process. Equality California links its members directly with their elected officials by holding annual lobby days in Sacramento and organizing in-district lobbying meetings.

Creating a Strong California

Equality California has successfully passed more than 70 pieces of legislation to advance the rights of the LGBT community. Working in partnership with California's LGBT Legislative Caucus, Equality California is committed to building a better future for all Californians by protecting youth, strengthening families and empowering communities. Each year at the Capitol, Equality California monitors hundreds of bills and leads efforts to defeat legislation that could have a negative impact on LGBT Californians and their families.

Defending LGBT Rights & Protections

Equality California, represented by our community's legal organizations and pro-bono counsel, has been a party to key lawsuits on behalf of its members including the historic case before the California Supreme Court striking down state law that barred same-sex couples from marriage. Equality California also submitted an amicus brief supporting the federal challenge of Prop 8. In addition, Equality California has participated in cases defending California's domestic partnership laws and safe schools protections for LGBT youth.